

REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
April 20, 2006

PRESENT:	Jon Adams Holly Bell Alden Farr Steve Hill	Mayor Pro Tem Councilmember Councilmember Councilmember
ALSO PRESENT:	Ben Boyce Jim Buchanan Blake Fannesbeck Paul Larsen Bruce Leonard Tyler Pugsley Dennis Sheffield Mark Teuscher Paul Tittensor Alan Wright	Director of Parks and Recreation Director of Emergency Services Director of Public Works Director of Economic Development City Administrator Water Superintendent Director of Finance/Deputy City Recorder Community Development Supervisor/City Planner Chief of Police Director of Public Power
EXCUSED:	Lou Ann Christensen Reese Jensen	Mayor Councilmember

Mayor Pro Tem Adams called the meeting to order and excused Mayor Christensen and Councilmember Jensen who were out of town on business. The scouts in the audience led the Pledge of Allegiance. The Reverence Period was given by Pastor Richard Scott. A motion to approve the minutes of March 30, 2006 Council Meeting and Executive Session was made by Councilmember Hill. The motion was seconded and carried. Mayor Pro Tem Adams presented the agenda as follows:

PRESENTATION OF MAYOR'S AWARDS PUBLIC COMMENT CONSENT
PUBLIC COMMENT
CONSENT

- New Hire, Fire Department
- Appointment to Heritage and Cultural Arts Advisory Board
- Appointment of Ex-Officio Member to Economic Development Board
- Appointment to Brigham City/Perry Joint Advisory Board
- Proclamation Declaring May 1, 2006 as Law Day
- Proclamation Declaring May as Foster Care Month

PUBLIC HEARINGS

- Continuation of Public Hearing to Consider a 10-Year Non-Exclusive Franchise Renewal Agreement with Comcast of Utah
- Amendment to Chapter 29.01.060 of the City Code Defining Tattoo Establishment to be Consistent with Bear River Health Department's "Regulations for Body Art Facilities"

SCHEDULED DELEGATION

- Proclamation Declaring April 28, 2006 as Arbor Day

NEW BUSINESS

- Resolution Approving a Standard Power Pole Line Attachment Agreement for Brigham City Light and Power
- Resolution Adopting Power Pole Attachment Fees for Brigham City Light and Power Perry/Brigham City Emergency Water Connection Request for Approval to Expend Funds from the Sale of Assets
- Budget Line to Purchase Track Hoe Proposal for City Hall Building Security

OTHER BUSINESS

- Visioning Work Session

CLAIMS

- Payment Register

Councilmember Bell added the item under Other Business. Councilmember Bell made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

PRESENTATION OF MAYOR'S AWARDS

Jared Johnson, Building Official, was awarded the Mayor's Award. He was recently awarded the Award of Merit by the Utah Chapter of the International Code Council. On the award it stated that Mr. Johnson had demonstrated meritorious service. Mr. Johnson was the President in 2005 of the Utah Chapter and organized a class wherein instruction was provided for over 150 contractors on residential dwelling codes along with a class for 40 building inspectors to provide instruction on the most recent national electrical code updates. Mr. Johnson was also instrumental in getting Brigham City's ISO lowered from 3 to 2. This rating by the Insurance Services Office is used by insurance companies across the nation to set fee structures for insurance rates. Mr. Johnson also assists in day-to-day operations at the airport. He has worked with engineers and contractors with the past and current construction phases at the airport. He interacts with the fixed based operators and the assisted the Director of Public Works in working with them on their needs. He is willing to take on assignments when asked. He is a team player who strives to make the day-to-day operations of the department streamlined, efficient and community friendly.

Mayor Pro Tem Adams presented the Mayor's Award to the Waste Water Treatment employees. Last month during the Water Environment Association of Utah Spring Conference three awards were given to Brigham City's Waste Treatment employees and two to the plant itself. The employees of the Waste Treatment Department are Dixon Abbott, Richard Abraham, Tyler Bouck, David Coates, John Dickamore, Vic Jones, Rich Mickelsen, Raymond Poulsen, Sandra Smith, Roger Watkins and Mark Wilson. Receiving six awards from the WEA organization solidifies the commitment of leadership these men and women have in making their department the best it can be. Mr. Poulsen, Acting Waste Treatment Superintendent, added that the employees were recognized by the WEA for their commitment to compliance with local, state and federal regulatory rules and regulations, and their emphasis on maintaining a safe work environment.

PUBLIC COMMENT

There were no comments from the public.

CONSENT

New Hires, Fire Department

It was recommended Brock Petersen, Tom Petersen and Justin Dickamore be hired as Firefighters effective April 22, 2006.

Appointment to Heritage and Cultural Arts Advisory Board

It was also recommended Jill Grover be appointed to the Heritage and Cultural Arts Advisory Board.

Appointment of Ex-Officio Member to Economic Development Board

Bruce Christensen was recommended for an appointment as an ex-officio board member on the Economic Development Board.

Appointment to Brigham City/Perry Joint Advisory Board

Kevin Lane, Barbara Poelman and Barbara Stokes were recommended for approval to serve on the Brigham City/Perry Joint Advisory Board. These appointments run concurrent with their Planning Commission appointments.

Proclamation Declaring May 1, 2006 as Law Day

A letter was received from Judge Hadfield requesting the Council approve a proclamation declaring May 1, 2006 as Law Day.

Proclamation Declaring May as Foster Care Month

A letter was also received from the Utah Foster Care Foundation requesting the Council's support in declaring

May as Foster Care Month.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Hill, seconded by Councilmember Farr and unanimously carried.

PUBLIC HEARINGS

Continuation of Public Hearing to Consider a 10-Year Non-Exclusive Franchise Renewal Agreement with Comcast of Utah

A motion to reopen the public hearing from May 30, 2006 was made by Councilmember Bell, seconded by Councilmember Farr and unanimously carried. There were no comments from the public. A motion to close the public hearing was made by Councilmember Bell, seconded and carried.

Mayor Pro Tem Adams said during the previous public hearing there were some comments and a letter read. There were concerns regarding discounts for people in affordable housing. There was also comments about the City's role in customer service. Mr. Larsen said there is nothing in the contract regarding customer service. That is really an issue between the customer and Comcast. There are certain standards in the agreement, such as how long it takes to get a phone call answered, response times, etc.

Councilmember Hill expressed concern that one person has to negotiate for discounts for affordable housing. One person versus an international corporation will not have any effect. Mr. Larsen said he did not know if the City had the ability to negotiate rates with Comcast. It is really a competitive issue that the City is not empowered to do. Mayor Pro Tem Adams said the agreement states that Comcast has the ability to adjust fees. Mr. Larsen said he felt the City can facilitate, but did not feel that the City can negotiate a specific rate. Mayor Pro Tem Adams said if discounts are being offered to low-income housing residents in other communities, Brigham City residents should receive the same consideration.

MOTION: Councilmember Bell made a motion to approve the 10-year non-exclusive franchise renewal agreement with Comcast, seconded by Councilmember Farr and unanimously carried.

Amendment to Chapter 29.01.060 of the City Code Defining Tattoo Establishment to be Consistent with Bear River Health Department's "Regulations for Body Art Facilities"

Mr. Mark Teuscher came forward and explained that the Bear River Health Department regulates body art facilities, and requested the City's ordinance be consistent with their ordinances. This ordinance amends the definition of tattoo establishments to read "*Tattoo and Body Art Establishments - Any location, place, area, structure or business used for the practice of tattooing or the instruction of tattooing, body piercing, scarification, and branding, excluding permanent cosmetics establishments.*"

A motion to open the public hearing was made by Councilmember Farr, seconded and carried. There were no comments from the public. A motion to close the public hearing was made by Councilmember Farr, seconded and carried.

MOTION: Councilmember Bell moved to approve the amendment to Chapter 29.01.060 of the City Code Defining Tattoo Establishment to be consistent with Bear River Health Department's "Regulations for Body Art Facilities". Councilmember Hill seconded the motion, unanimously carried.

SCHEDULED DELEGATION

Proclamation Declaring April 28, 2006 as Arbor Day

Mr. Mike Phillips came forward and stated that Brigham City has been awarded the Tree City USA Award for the 19th consecutive year. He commended Paul Jensen and his crew for doing a great job. He continued that the Arbor Day celebration will be at Pioneer Park where they will plant more trees in anticipation of some of the older trees reaching their life expectancy. He read the proclamation declaring April 28, 2006 as Arbor Day.

MOTION: Councilmember Bell moved to authorize Mayor Pro Tem Adams to sign the proclamation declaring April 28, 2006 as Arbor Day, seconded and carried.

NEW BUSINESS

Resolution Approving a Standard Power Pole Line Attachment Agreement for Brigham City Light and Power

Mr. Paul Larsen approached the Council and explained that along with the franchise agreement with Comcast, they are also proposing a new pole line attachment fee and agreement. In the franchise agreement it states that providers that attach to Brigham City owned poles are required to have a pole line attachment agreement. Councilmember Farr asked if this will increase Comcast's rates. Mr. Dansey from Comcast came forward and replied that although the cost for Comcast to connect in Brigham City was at the low end and now it will be at the high end, he did not feel that there will be a rate increase.

MOTION: Councilmember Bell made a motion to approve the resolution approving a standard power pole line attachment agreement for Brigham City Light and Power. The motion was seconded by Councilmember Hill and unanimously carried.

Resolution Adopting Power Pole Attachment Fees for Brigham City Light and Power

MOTION: A motion to approve the resolution adopting the power pole attachment fees for Brigham City Light and Power was made by Councilmember Bell, seconded by Councilmember Farr and unanimously carried.

Perry/Brigham City Emergency Water Connection

Mr. Blake Fonnesebeck and Mr. Tyler Pugsley came to the table. Mr. Fonnesebeck explained that this is a proposal to connect an emergency water connection with Perry City. In an emergency situation, Perry will provide approximately 77% to Brigham City, and Brigham City would provide 100% to Perry. The cost for this connection would be \$31,000 for both Brigham City and Perry.

MOTION: Councilmember Farr moved to approve the Perry/Brigham City emergency water connection as outlined, seconded by Councilmember Bell and carried unanimously.

Request for Approval to Expend Funds from the Sale of Assets Budget Line to Purchase Track Hoe

Mr. Fonnesebeck stated that the City has expended approximately \$26,000 in rental fees for a track hoe in the last year. This equipment has proven to be very valuable on several projects throughout the City. The company the City is renting it from is willing to put the \$12,000 toward the purchase price. He proposed that the City sell a backhoe for a minimum of \$55,000 and purchase the track hoe. This would leave a remainder of approximately \$36,000 which could be taken from the sale of assets fund. Staff felt that the track hoe would be more useful than the backhoe.

MOTION: Councilmember Bell moved to approve expending funds from the sale of assets budget line to purchase a track hoe. Councilmember Farr seconded the motion, unanimously carried.

Proposal for City Hall Building Security

Chief Tittensor came forward and said the Council had asked the Police Department to look at upgrading the security at City Hall. They received a bid of \$1,647 for securing the Mayor's Office. This would include a magnetic locking system installed on the entry door, electronic key pad on the exterior of the door, one camera and one monitor. The Chief also suggested a panic button be installed in the Mayor's Office and the Council Chambers. This would be an additional \$150.

Securing the main and upper floors would require enclosure of the front counter and installing a secure door prior to going up the stairway. The bid for tempered glass at the front counter was \$435. A new glass door and metal framing at the base of the stair well would be \$1,404 and \$400 for labor. This would require visitors to check in with a receptionist. The receptionist would have to confirm the visitor's appointment or

the visitor could be escorted by the employee who has the appointment. He added that the elevator is an issue because it cannot be secured from any floor. It could be locked at all times and require employees to have a key. Someone would have to escort citizens that want to use the elevator.

To secure the basement area, they recommended glass to enclose the counter (\$172), glass door with metal frame and crash or panic exit lock release (\$1,982), and motion sensor (\$196).

The Chief said the card reading system is the best technology available, but it is expensive. It is approximately \$1200 per door.

Mayor Pro Tem Adams said there is some money in this year's budget for remodeling and security that could be used toward this. He felt some employees need to be involved before a decision is made. It is a change of life, so if employees are expected to follow protocol, they should be involved. He recommended a work session be scheduled after the Council is through with the budget process.

MOTION: Councilmember Hill made a motion to table the proposal for City Hall building security until after the budgeting process and it is known what funds are available, and at that time schedule a work session to discuss the Chief's proposal in more detail. Councilmember Farr said with the recent concern with security at the Mayor's Office, he felt it was justified to install a scanner at the Mayor's Office soon. However, he expressed concern with the inconvenience for all the contractors and citizens that go to Public Works to make them go through that process when there haven't been any security problems. Mayor Pro Tem Adams called for a second on the motion. Councilmember Bell seconded the motion. Mayor Pro Tem Adams explained that the Council previously authorized a key pad to be installed immediately at the Mayor's Office, and that staff could take a telephone vote on the quotes. For some reason, it was decided not to be done. The motion carried unanimously.

OTHER BUSINESS

Visioning Work Session

The Council rescheduled the Visioning Work Session from April 26 to May 25 at 6:00 p.m.

CLAIMS

Payment Register

Mayor Pro Tem Adams moved to approve Miscellaneous Claims for March 31, 2006 in the amount of \$69,395.23; Payment Register dated March 31, 2006, \$315,164.10; for April 4, \$68,182.15; for April 11, \$367,073.24; April 18, \$239,241.39. The motion was seconded and carried.

A motion to adjourn to an RDA meeting was made by Councilmember Bell. The motion was seconded and carried unanimously. The meeting adjourned at 8:30 p.m. to an RDA meeting and then adjourned to an Executive Session. The Council returned to an open meeting at 10:00 p.m. and adjourned.